

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN
AT LAW AND IN ADMIRALTY

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No.

APPROXIMATELY \$10,251.00 IN UNITED
STATES CURRENCY,

Defendant.

VERIFIED COMPLAINT FOR CIVIL FORFEITURE IN REM

The United States of America, by its attorneys, Matthew D. Krueger, United States Attorney for the Eastern District of Wisconsin, and Scott J. Campbell, Assistant United States Attorney for this district, alleges the following in accordance with Supplemental Rule G(2) of the Federal Rules of Civil Procedure:

Nature of the Action

1. This is a civil action to forfeit property to the United States of America, under 21 U.S.C. § 881(a)(6), for violations of 21 U.S.C. § 841(a)(1).

The Defendant In Rem

2. The defendant approximately \$10,251.00 in United States currency was seized on or about March 6, 2019, from Brent Katherine at or near 3995 N. Richmond Street, Grand Chute, Wisconsin.

3. The defendant property is presently in the custody of the United States Marshal Service in Green Bay, Wisconsin.

Jurisdiction and Venue

4. This Court has subject matter jurisdiction over an action commenced by the United States under 28 U.S.C. § 1345, and over an action for forfeiture under 28 U.S.C. § 1355(a).

5. This Court has *in rem* jurisdiction over the defendant property under 28 U.S.C. § 1355(b).

6. Venue is proper in this district under 28 U.S.C. § 1355(b)(1), because the acts or omissions giving rise to the forfeiture occurred in this district.

Basis for Forfeiture

7. The defendant approximately \$10,251.00 in United States currency is subject to forfeiture to the United States of America under 21 U.S.C. § 881(a)(6) because it was used or intended to be used in exchange for controlled substances, represents proceeds of trafficking in controlled substances, or was used or intended to be used to facilitate a violation of 21 U.S.C. § 841(a)(1).

Facts

8. MDMA (also known as ecstasy) is a Schedule I controlled substance under 21 U.S.C. § 812.

9. Marijuana is a Schedule I controlled substance under 21 U.S.C. § 812.

10. Cocaine is a Schedule II controlled substance under 21 U.S.C. § 812.

11. From approximately November 2016 through November 2018, a confidential informant (“CI”) had been purchasing cocaine from Brent Katherine.

November 14, 2018 controlled buy of cocaine from Brent Katherine

12. At least during November 2018, Brent Katherine routinely spent days and nights at 3XX W. Valley Road, Apt. X, Appleton, Wisconsin because it is the address where one of his children and that child's mother reside.

13. On November 14, 2018, at approximately 6:35 p.m., the CI purchased approximately 55.1 grams of cocaine from Brent Katherine for \$600 at or near 3XX W. Valley Road, Apt. X, Appleton, Wisconsin.

14. The CI made arrangements with Katherine to purchase 14 grams of cocaine for \$600, but when the CI arrived at the residence, Katherine gave the CI two bags containing a total of 55.1 grams of cocaine and told the CI to "get rid of this stuff for me."

15. The CI owed Katherine additional money ("drug debt") for the extra cocaine that Katherine had unexpectedly provided to the CI.

January 18, 2019 controlled buy of cocaine from Brent Katherine and payment of the drug debt to Katherine

16. On January 18, 2019, at approximately 9:50 a.m., the CI purchased approximately 13.6 grams of cocaine from Brent Katherine at or near 3XXX N. Marcos Lane, Appleton, Wisconsin.

17. The CI paid Katherine \$600 for the 13.6 grams of cocaine that the CI purchased that day, along with an additional \$1,400 for the extra cocaine that Katherine had provided to the CI on November 14, 2018, for a total of \$2,000.

18. Katherine told the CI that Katherine was low on cocaine and was possibly going to Illinois to re-up his cocaine supply.

March 1, 2019 attempted controlled buy of cocaine from Brent Katherine

19. The CI arranged to purchase four ounces of cocaine for \$4,000 from Brent Katherine on March 1, 2019.

20. On March 1, 2019, at approximately 9:00 a.m., the CI attempted to call Katherine several times in order to confirm the location for the drug transaction. Katherine did not answer any of the CI's calls.

21. The CI then sent a text message to Katherine stating, "What's up I need that." Katherine replied, "When?" The CI responded to Katherine stating "20." The CI and Katherine then spoke on the phone and agreed to meet at the Meijer store located at 3801 N. Richmond Street, Appleton, Wisconsin.

22. The CI arrived at the meet location, but Katherine did not show up. The CI sent several text messages to Katherine that all went unanswered. The CI finally texted Katherine stating, "You come or no?" Katherine replied, "Give me a minute..."

23. After some time, when Katherine still did not show up at the Meijer store, the CI sent Katherine text messages stating that if Katherine was not going to come that CI was going to leave. Katherine responded stating, "I only got 3."

24. The CI eventually aborted the attempt to buy four ounces of cocaine from Brent Katherine on March 1, 2019, because Katherine was a no-show.

March 6, 2019 attempted controlled buy of cocaine from Brent Katherine, and Katherine's arrest

25. The CI arranged to purchase four ounces of cocaine from Brent Katherine on March 6, 2019, for \$4,000 at the Meijer store located at 3801 N. Richmond Street, Appleton, Wisconsin.

26. While the CI was waiting in the Meijer parking lot for Katherine to arrive, Katherine texted the CI asking, "All in one bag good?" The CI replied, "Yup." At approximately 3:18 p.m., Katherine texted the CI stating, "Ok I'm ready."

27. At about 3:25 p.m., Katherine called the CI and told the CI that Katherine needed to “stop and grab it.” Katherine changed the meet location to a Kwik Trip located across the street from the original meet location at the Meijer store.

28. At about 3:28 p.m., officers conducting surveillance at 3XX E. Commercial Street, Appleton, Wisconsin saw a Range Rover arrive at the residence.

- A. Brent Katherine routinely spent days and nights at 3XX E. Commercial Street in Appleton because it is the address where one of his children and that child’s mother reside.
- B. About five or six times between July 2018 and November 2018, the CI had purchased cocaine from Brent Katherine at 3XX E. Commercial Street in Appleton.

29. The driver, Brent Katherine, exited the Range Rover, walked to the residence and then left the residence and re-entered the vehicle at about 3:36 p.m.

30. An individual having the initials W.J. was a front-seat passenger in the Range Rover, but W.J. remained in the vehicle while Katherine made his stop at the residence.

31. Surveilling officers followed Brent Katherine as Katherine drove off in the Range Rover. At approximately 3:45 p.m., Katherine pulled into the Kwik Trip meet location, drove slowly through the parking lot, and then stopped at one of the gas pumps.

32. Undercover officers attempted to conduct an arrest operation and take Katherine into custody. Two undercover vehicles began moving into position to block Katherine, who was in his Range Rover, from driving away – one approached the rear of Katherine’s Range Rover and the other approached the front. The front-blocking undercover vehicle activated its red and blue emergency lights.

33. Katherine quickly accelerated his vehicle in reverse, causing an impact and damage to the rear-blocking undercover vehicle, and then put his vehicle in drive and quickly drove around the front-blocking undercover vehicle.

34. Katherine drove out of the Kwik Trip station, and other undercover officers covertly followed Katherine.

35. Katherine drove a short distance past the Meijer store (the original meet location) and entered the parking lot of Navitus Health, which is the building next to the Meijer store. In the Navitus Health parking lot, W.J. exited Katherine's vehicle.

36. Katherine then drove to the Meijer gas station and parked. Undercover officers followed and approached Katherine's Range Rover – one with its red and blue emergency lights activated – and attempted to block in Katherine's vehicle. Katherine again drove his vehicle in reverse and again made impact with the rear-blocking undercover car, but the undercover car continued to accelerate and Katherine then placed his vehicle in park. Katherine opened his door and surrendered to officers, who took Katherine into custody.

37. On March 6, 2019, on Katherine's person at the time of his arrest were large amounts of currency in his pants pocket and his coat pocket – totaling \$10,251.00, which is the defendant property in this civil forfeiture case – and a bag containing 18.6 grams of marijuana was in Katherine's coat pocket.

38. Katherine's Range Rover contained small cocaine chunks and cocaine powder on the inside and the outside of the passenger door, as well as cocaine residue on the passenger's seat, floor board, door handle, and door compartment.

39. The approximately four ounces of cocaine that Brent Katherine was going to sell to the CI was purposely dumped inside and outside the Range Rover sometime between the time when officers attempted to arrest Katherine at the Kwik Trip and when officers arrested Katherine at the Meijer gas station.

40. Katherine's Range Rover also contained keys in the center console. One of those keys was to the residence located at 3XX E. Commercial Street, Appleton, Wisconsin, which key officers used to gain entry to that residence during execution of a search warrant.

March 6, 2019 arrest and interview of W.J.

41. Officers located W.J. walking in the Navitus Health parking lot and took W.J. into custody.

42. An employee at Navitus Health who saw W.J. walking in the parking lot stated that W.J. had pulled something white out of W.J.'s pocket and threw it between two parked cars and that W.J. kept walking and then threw W.J.'s hat between two parked cars.

43. The Navitus Health employee directed officers to where W.J. had thrown those items. At the identified locations, officers found a baggie containing 5.2 grams of cocaine and the hat.

44. On the roadway near the entrance to the Navitus Health building, officers also found was a baggie containing 25 full and 5 partial MDMA (ecstasy) pills for a total weight of 63.5 grams.

45. On March 6, 2019, officers conducted an mirandized recorded interview of J.W. at the Appleton Police Department (the "Interview").

46. During the Interview, J.W. admitted the following:

- A. On March 6, 2019, J.W. was a passenger in the Range Rover driven by Brent Katherine.
- B. Katherine drove to a gas station and pulled up to a pump. J.W. saw a vehicle in front of them and another on the side, "like an investigation [was] going on." Katherine then drove away.
- C. At some point, J.W. got out of the Range Rover, started walking and threw a hat, which officers recovered and J.W. positively identified as the hat he had thrown.
- D. While J.W. was still walking, officers made contact with him.

March 6, 2019 mirandized recorded interview of Brent Katherine

47. On March 6, 2019, officers conducted an mirandized recorded interview of Brent Katherine at the Appleton Police Department (the “Interview”).

48. During the Interview, Brent Katherine admitted the following:

- A. 3XX W. Valley Road, Apt. X, Appleton, Wisconsin (“Valley Road residence”) is the address where one of his children and that child’s mother lives.
- B. 3XX E. Commercial Street, Appleton, Wisconsin (“Commercial Street residence”) is the address where another one of his children and that child’s mother lives.
- C. On March 6, 2019, prior to his arrest, Katherine left the Valley Road residence, went to the Commercial Street residence, and then drove to the gas station where officers arrested him.

March 6, 2019 surveillance at 3XX E. Commercial Street, Appleton, Wisconsin, and interview of A.K.

49. On March 6, 2019, officers continued surveillance at 3XX E. Commercial Street in Appleton after Brent Katherine left the residence at approximately 3:36 p.m.

50. At about 4:28 p.m., a female having the initials A.K. exited the residence and drove to a gas station. After A.K. parked her vehicle, officers approached A.K., identified themselves, and explained the reason for their contact with her.

51. During officers’ conversation with A.K., A.K. stated the following:

- A. Brent Katherine is the father of her youngest child.
- B. Katherine had been to her home at 3XX E. Commercial Street in Appleton earlier that day.
- C. Katherine has keys to the residence at 3XX E. Commercial Street in Appleton.
- D. A.K. and her children are the only permanent residents at 3XX E. Commercial Street in Appleton, but Brent Katherine is over at the residence regularly.

March 6, 2019 execution of search warrant at 3XX E. Commercial Street, Appleton, Wisconsin

52. On March 6, 2019, at about 7:45 p.m., officers executed a search warrant at 3XX E. Commercial Street, Appleton, Wisconsin.

53. No one was present at the residence during execution of the search warrant.

54. Officers were able to gain entry to the residence by using the key that was found in the center console of Brent Katherine's Range Rover at the time of his arrest.

55. Below are some of the items inside the residence on March 6, 2019.

- A. Inside a cabinet in the hallway was a total of 229.9 grams of cocaine in seven individual baggies as follows: 139.8 grams, 27.4 grams, 27.8 grams, 13.6 grams, 4.9 grams, 6.3 grams, and 10.1 grams.
- B. Inside a purse in the northeast bedroom was a total of 2.6 grams of cocaine in four individual corner cut baggies of 1.3 grams, 0.5 grams, 0.4 grams, and 0.4 grams.
- C. Inside a second purse in the bedroom was \$670, which currency is not included in this civil forfeiture case.
- D. Inside a drawer "at the south end of the house" was a total of 4.0 grams of cocaine in three individual baggies of 1.4 grams, 1.4 grams, and 1.2 grams.
- E. Inside a backpack on the kitchen counter were 15.2 grams of marijuana and \$431, which currency is not included in this civil forfeiture case.
- F. Inside a kitchen drawer was a scale.
- G. Inside a kitchen cabinet were a Springfield Armory XD 40 caliber pistol bearing serial number CD459084 and a loaded magazine with 11 rounds of ammunition.
- H. Inside a safe in the basement were assorted ammunition and a document from an eye doctor appointment listing the patient as Brent Katherine.
- I. A.K.'s cell phone.

Drug-related text messages on A.K.'s cell phone

56. On March 10, 2019, officers conducted a forensic download of A.K.'s cell phone, which was seized during the search warrant executed at 3XX E. Commercial Street, Appleton, Wisconsin.

57. Several text messages on A.K.'s phone show that Brent Katherine sent people to the residence, 3XX E. Commercial Street in Appleton, to purchase cocaine and asked A.K. to take care of the transactions when Katherine was not at the residence.

58. Some of the drug-related text messages between A.K. and Katherine from February 15, 2019, through March 4, 2019, are as follows:

A. On February 15, 2019:

From Katherine:	8:22:14 PM	Make 2 balls
To Katherine:	8:28:15 PM	K
To Katherine:	9:36:43 PM	?
To Katherine:	9:38:23 PM	Was that 4 pops?
From Katherine:	9:51:46 PM	No. omw
From Katherine:	9:51:56 PM	Make another

The street term "ball" is commonly referring to 3.5 grams of a drug.

B. On February 18, 2019:

From Katherine:	10:16:27 PM	DC coming your way. Just left basketball game.
To Katherine:	10:18:50 PM	He sitting here
To Katherine:	10:18:59 PM	Said its been 45min
From Katherine:	10:38:42 PM	Give him a ball fam
From Katherine:	10:39:08 PM	My phone f***ing up I'm shooting dice
To Katherine:	10:48:35 PM	I didnt have 1
To Katherine:	10:54:24 PM	Wateves
To Katherine:	10:59:27 PM	The boys were/r asleep So if u send someone dnt send them to the door. Conginac woke them up
To Katherine:	11:00:03 PM	Good lucj
To Katherine:	11:00:17 PM	Luck*

C. On February 23, 2019:

From Katherine:	9:27:02 PM	Just made it from the mill
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D. On February 24, 2019:

From Katherine:	4:47:08 AM	Drive safe
From Katherine:	2:35:07 PM	Could you grab some more bag
To Katherine:	3:57:45 PM	Sure
To Katherine:	3:58:41 PM	How many u need?
From Katherine:	4:09:04 PM	2
To Katherine:	6:16:51 PM	We b home like 830/9
From Katherine:	6:35:25 PM	Ok
To Katherine:	8:05:40 PM	We're home hun
From Katherine:	9:53:50 PM	Ok

E. On February 25, 2019:

To Katherine:	4:51:22 PM	Thank you
From Katherine:	4:57:57 PM	For what
To Katherine:	5:02:50 PM	Sending him my way
From Katherine:	5:03:51 PM	Indeed
From Katherine:	5:06:09 PM	Pops coming your way to play 1 game with the kids
To Katherine:	5:09:42 PM	Okay
To Katherine:	5:29:08 PM	Ima put it in truck let him know
To Katherine:	6:01:33 PM	He came

F. On February 28, 2019:

From Katherine:	5:21:00 PM	I got any cash over there
To Katherine:	5:21:31 PM	Yea
From Katherine:	5:22:07 PM	How much
To Katherine:	5:22:19 PM	4
From Katherine:	5:23:29 PM	And not the 10
To Katherine:	5:24:28 PM	Wat is 10?
From Katherine:	5:26:43 PM	Rubber bands
To Katherine:	5:27:01 PM	Its up by towels

G. On March 1, 2019:

From Katherine:	7:05:11 AM	Pops coming your way
To Katherine:	8:49:54 AM	He didnt come yet
From Katherine:	9:53:06 AM	He doze back off. He on his way.
To Katherine:	9:55:11 AM	K
To Katherine:	11:14:24 AM	He grabed 2
From Katherine:	11:21:39 AM	Make what you got into 56
To Katherine:	11:36:15 AM	U alright sir
From Katherine:	1:45:11 PM	Pops on his way 2 times
To Katherine:	1:45:36 PM	Im not home
To Katherine:	1:45:56 PM	30 min

To Katherine:	1:46:17 PM	Getting my 2 broken ????
To Katherine:	2:14:29 PM	5 min

H. On March 2, 2019:

From Katherine:	10:45:09 AM	Pops coming your way give him 10.5 for 4 hundred
To Katherine:	10:47:19 AM	K b bk in 5 ran by dc n Ashley
To Katherine:	10:47:43 AM	Of wats left tho?
From Katherine:	10:48:03 AM	Yup
To Katherine:	10:48:09 AM	K. Gotcha
To Katherine:	10:48:41 AM	He said his car f****d up I mentioned u lpoling fir a different one he want dibbs
From Katherine:	10:50:42 AM	Huh
To Katherine:	12:21:55 PM	He still didn't come...
To Katherine:	12:21:58 PM	Idk
From Katherine:	12:22:26 PM	Ok
To Katherine:	4:31:54 PM	Bout to leave
To Katherine:	4:32:00 PM	He never came

I. On March 4, 2019:

To Katherine:	6:06:21 PM	I need budz u know a guy or should i do the other thing
From Katherine:	6:08:33 PM	I still got 2
To Katherine:	6:08:53 PM	Ill take 1

59. On March 6, 2019, one series of text messages exchanged between A.K. and Brent Katherine from about 1:02 p.m. through 1:19 p.m. – approximately two hours before Brent Katherine arrived at the residence, left a few minutes later, and drove to the meet location where he was to sell four ounces of cocaine to the CI for \$4,000 – was as follows:

From Katherine:	1:02:22 PM	Mix that up for me please
From Katherine:	1:07:34 PM	I need it
To Katherine:	1:09:49 PM	Ok
From Katherine:	1:10:24 PM	Thanks
From Katherine:	1:10:49 PM	Put 4 and a half
To Katherine:	1:19:24 PM	All right
To Katherine:	1:19:32 PM	Done

Administrative Forfeiture Proceedings

60. On or about April 24, 2019, the Drug Enforcement Administration (“DEA”) commenced administrative forfeiture proceedings against the defendant property, approximately

\$10,251.00 in United States currency, as money that was used or intended to be used in exchange for controlled substances or was proceeds of trafficking in controlled substances.

61. On or about May 24, 2019, Brent Katherine filed a claim to the defendant property, approximately \$10,251.00 in United States currency, with the DEA in the administrative forfeiture proceedings.

Warrant for Arrest In Rem

62. Upon the filing of this complaint, the plaintiff requests that the Court issue an arrest warrant *in rem* pursuant to Supplemental Rule G(3)(b), which the plaintiff will execute upon the defendant property pursuant to 28 U.S.C. § 1355(d) and Supplemental Rule G(3)(c).

Claims for Relief

63. The plaintiff alleges and incorporates by reference the paragraphs above.

64. By the foregoing and other acts, the defendant approximately \$10,251.00 in United States currency was used or intended to be used in exchange for controlled substances, represents proceeds of trafficking in controlled substances, or was used or intended to be used to facilitate a violation of 21 U.S.C. § 841(a)(1).

65. The defendant approximately \$10,251.00 in United States currency is therefore subject to forfeiture to the United States of America under 21 U.S.C. § 881(a)(6).

WHEREFORE, the United States of America prays that a warrant of arrest for the defendant property be issued; that due notice be given to all interested parties to appear and show cause why the forfeiture should not be decreed; that judgment declare the defendant property to be condemned and forfeited to the United States of America for disposition according to law; and that the United States of America be granted such other and further relief as this Court may deem just and equitable, together with the costs and disbursements of this action.

Dated at Milwaukee, Wisconsin, this 21st day of August, 2019.

Respectfully submitted,

MATTHEW D. KRUEGER
United States Attorney

By: s/SCOTT J. CAMPBELL
SCOTT J. CAMPBELL
Assistant United States Attorney
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Verification

I, Jeremiah Winscher, hereby verify and declare under penalty of perjury that I am a Task Force Officer with the Drug Enforcement Administration (DEA) in Milwaukee, that I have read the foregoing Verified Complaint for Civil Forfeiture *in rem* and know the contents thereof, and that the factual matters contained in paragraphs 8 through 59 of the Verified Complaint are true to my own knowledge.

The sources of my knowledge and information are the official files and records of the United States, information supplied to me by other law enforcement officers, as well as my investigation of this case, together with others, as a Task Force Officer with DEA.

I hereby verify and declare under penalty of perjury that the foregoing is true and correct.

Date: 8/20/19

s/JEREMIAH WINSCHER
Jeremiah Winscher
Task Force Officer
Drug Enforcement Administration

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

Place an "X" in the appropriate box: ☒ Green Bay Division ☐ Milwaukee Division

I. (a) PLAINTIFFS

UNITED STATES OF AMERICA

(b) County of Residence of First Listed Plaintiff _____
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Scott J. Campbell, AUSA
US Attorney's Office, #530 Federal Building
517 E. Wisconsin Avenue, Milwaukee, WI 53202 (414-297-1700)

DEFENDANTS

APPROXIMATELY \$10,251.00 IN UNITED STATES CURRENCY

County of Residence of First Listed Defendant Outagamie

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☒ 1 U.S. Government Plaintiff
☐ 2 U.S. Government Defendant
☐ 3 Federal Question (U.S. Government Not a Party)
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF		PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Med. Malpractice PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input checked="" type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee (Prisoner Petition) <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIW W (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN

(Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
21 USC § 881(a)(6)
Brief description of cause:

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 **DEMAND \$**

CHECK YES only if demanded in complaint:
JURY DEMAND: ☐ Yes ☒ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE _____

DOCKET NUMBER _____

DATE

SIGNATURE OF ATTORNEY OF RECORD

08/21/2019

s/SCOTT J. CAMPBELL

FOR OFFICE USE ONLY

RECEIPT #

Case 1:19-cv-01213-WCG Filed 08/21/19 Page 1 of 1 Document 1-1

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN
AT LAW AND IN ADMIRALTY

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No.

APPROXIMATELY \$10,251.00 IN UNITED
STATES CURRENCY,

Defendant.

WARRANT FOR ARREST IN REM

To: THE UNITED STATES MARSHAL
Eastern District of Wisconsin

WHEREAS, a Verified Complaint for Civil Forfeiture *in rem* was filed on the 21st day of August, 2019, by the United States Attorney for the Eastern District of Wisconsin, which seeks the forfeiture of the above-named defendant property pursuant to Title 21, United States Code, Section 881(a)(6), and which prays that process issue to enforce the forfeiture and to give notice to all interested parties to appear before the court and show cause why the forfeiture should not be decreed; and due proceedings being had, that the defendant property be condemned and forfeited to the use of the United States of America.

YOU ARE THEREFORE HEREBY COMMANDED to attach and arrest the defendant property, approximately \$10,251.00 in United States currency, which was seized on or about March 6, 2019, from Brent Katherine at or near 3995 N. Richmond Street, Grand Chute, Wisconsin, and which is presently in the custody of the United States Marshal Service in Green

Bay, Wisconsin, in the Eastern District of Wisconsin, and to detain the same until further order of this Court.

Dated this ____ day of _____, 2019, at Green Bay, Wisconsin.

STEPHEN C. DRIES
Clerk of Court

By:

Deputy Clerk

Return

This warrant was received and executed with the arrest of the above-named defendant.

Date warrant received: _____

Date warrant executed: _____

Name and title of arresting officer: _____

Signature of arresting officer: _____

Date: _____